



PATENT  
Attorney Docket No.: MMI1150

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: DeNise et al. Art Unit: 1634  
Application No.: 10/750,622 Examiner: Not Yet Assigned  
Filed: December 31, 2003  
Title: COMPOSITIONS, METHODS AND SYSTEMS FOR INFERRING BOVINE BREED

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL SHEET**

Sir:

In response to the Notice to File Missing Parts of Application mailed May 17, 2004,  
enclosed are:

1. A copy of the Notice to File Missing Parts of Application (3 pages);
2. Executed Declaration (4 pages);
3. Petition for Extension of Time (2 pages);
4. Verified Statement Under 37 C.F.R. § 1.821(e) (1 page);
5. Statement Under 37 C.F.R. § 1.821(e) and (g) (1 page);
6. Check No. 565331; in the amount of \$1,276.00;
7. Return Receipt Postcard;

**CERTIFICATION UNDER 37 CFR §1.8**

I hereby certify that the documents referred to as enclosed herein  
are being deposited with the United States Postal Service as first  
class mail on August 26, 2004, in an envelope addressed to: Mail  
Stop Missing Parts, Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450.

*Karen LePari*

Karen LePari

In re Application of:

DeNise et al.

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In addition, three compact discs (described below) are submitted herewith. The first and second compact disks each includes a file entitled "mmi1150 table 5.txt," created August 20, 2004, which is 2,818 kilobytes in size, and a file entitled "mmi1150 table 6.txt," created August 20, 2004, which is 25,028 kilobytes in size. The first and second compact disks contain identical information as required under 37 C.F.R. § 1.52(e)(4). The third compact disk includes a file entitled "MMI1150.txt," created July 16, 2004, which is 88,025 kilobytes in size.

8. A first compact disk (CD-R) labeled, in part, "TABLES ... COPY 1", and containing Tables 5 and 6 as required under 37 CFR § 1.52. Information relevant to the contents and formatting of the disk is as follows:

Disk labeled "TABLES"

Machine format: IBM-PC

Operating System Compatibility: MS-Windows

File Names: mmi1150 table 5.txt and mmi1150 table 6.txt

File Sizes: 2,818 KB and 25,028 KB

Date Created: 08/20/2004

File Type: Microsoft Text Document

9. A second compact disk (CD-R) labeled, in part, "TABLES ... COPY 2", and containing Tables 5 and 6 as required under 37 CFR § 1.52. This compact disk is a duplicate of the compact disk recited in part 7 (supra) and is submitted in accordance with 37 C.F.R. § 1.52(e)(4).

10. The third compact disk (CD-R) labeled, in part, "SEQUENCE LISTING" and containing a sequence listing as required under 37 CFR § 1.821. Information relevant to the contents and formatting of the disk is as follows:

Disk labeled "SEQUENCE LISTING"

Machine format: IBM-PC

Operating System Compatibility: MS-Windows

File Name: MMI1150.txt

File Size: 88,025 KB

Date Created: 07/16/2004

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File Type: Microsoft Text Document

Check No. 565331; is enclosed in the total amount of \$1,276.00 as payment for the declaration surcharge, basic filing fee and extra claims fee (\$1,066.00) and two month extension of time fee (\$210.00). No other fee is deemed necessary in connection with the filing of this paper. However, the Commissioner is hereby authorized to charge any other fees that may be associated with this communication, or credit any overpayment to Deposit Account No. 50-1355. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: August 26, 2004



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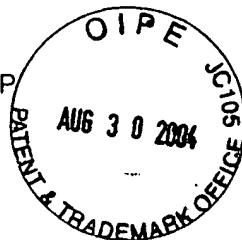


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
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 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/750,622	12/31/2003	Sue K. DeNise	MM11150

28213  
 GRAY CARY WARE & FREIDENRICH LLP  
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 SUITE 1100  
 SAN DIEGO, CA 92121-2133



CONFIRMATION NO. 2415

## FORMALITIES LETTER



\*OC000000012675634\*

Date Mailed: 05/17/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/31/2004 BABRAHAI 00000042 10750622

FILED UNDER 37 CFR 1.53(b)

01 FC:2001	385.00 OP
02 FC:2051	65.00 OP
03 FC:2202	315.00 OP
04 FC:2201	301.00 OP

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The compact disc(s) submitted fail to comply with 37 CFR 1.52(e) in that they contain non-ASCII files. A new duplicate set of compact discs with only ASCII files is required. Any replacement compact disc submitted should be accompanied by a certification as required by 37 CFR 1.52(e) that each disc of a duplicate set is identical to the other disc of the set. If a directory of the disc could be printed, it is attached and non-ASCII files are marked on the directory listing.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$616** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$1066** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$616**
  - **\$301** for 7 independent claims over 3.
  - **\$315** for 35 total claims over 20.

**Items Required To Avoid Processing Delays:**

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- *This application is objected to because it contains a data file on compact disc, which is not identified in the paper portion of the specification with a listing of all of the files contained on the disc. When portions of an application are contained on a compact disc, the paper portion of the specification must identify the compact disc(s) and list the files including name, file size, and creation date on each of the compact discs (see 37 CFR 1.52(e)). Applicant(s) are required to amend the specification to identify each disc and the files contained on the disc including the file name, file size, and file creation date.*

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center



Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE